

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

In re:

LESLIE ANN BENSINGER,

Debtor.

Case No. 07-12984-RGM
(Chapter 7)

MEMORANDUM OPINION

THIS CASE is before the court on the debtor's motion to reaffirm an obligation with Branch Bank & Trust Company. The debtor is represented by counsel who, pursuant to 11 U.S.C. §524(c)(3), properly completed Part C of the reaffirmation agreement. He did not check the appropriate box at the top of page 1 indicating whether a presumption of undue hardship exists. *See* Official Form 240A. Part D, however, reflects that the debtor's monthly income exceeds her monthly expenses by more than the amount necessary to make the required payment on this reaffirmed debt. Therefore, no presumption of undue hardship arises. However, the income and expenses shown on Part D differ from the income and expenses shown on Schedules I and J. There is, however, no explanation of the differences as required by Interim Rule 4008. Thus, the court must set the matter for a hearing.

Alexandria, Virginia
February 6, 2008

/s/ Robert G. Mayer
Robert G. Mayer
United States Bankruptcy Judge

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